

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 2605*

House Bill No. 2940

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting Sections 1 and 2 in their entirety.

AND FURTHER AMEND by adding the following sections and redesignating the remaining section appropriately:

Section 1. Tennessee Code Annotated, Section 68-217-102, is amended by deleting subdivision (11) in its entirety and substituting instead the following:

(11) "Wholesale distributor" means a person or company whose primary business is selling drycleaning solvents and supplies to in-state or out-of-state drycleaning facilities. Primary business shall mean where the percentage of said person's or company's gross receipts from the sale of drycleaning solvents and supplies to such drycleaning facilities equals or exceeds twenty percent (20%) of total gross receipts.

Section 2. Tennessee Code Annotated, Section 68-217-102, is further amended by deleting in subdivision (12) the language "an in-state" and by substituting instead the language "a" and by inserting the language "located in Tennessee" between the words "space" and "occupied".

Section 3. Tennessee Code Annotated, Section 68-217-104, is amended in subdivision (b)(3) by adding the language "with at least one operating in-state wholesale distribution facility" after the word "solvents".

Section 4. Tennessee Code Annotated, Section 68-217-106, is amended by deleting the first words in subsection (e), "An in-state", and by substituting instead the language "A".

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Section 5. Tennessee Code Annotated, Section 68-217-106, is further amended by deleting subsection (h) in its entirety and substituting instead the following:

(h) The solvent surcharge required by subsection (g) of this section shall be collected and forwarded to the Department by the seller of the drycleaning solvent, regardless of the location of such seller.

Section 6. Tennessee Code Annotated, Section 68-217-106, is further amended by deleting in its entirety subsection (i) and substituting instead the following:

(i) The solvent surcharges set forth above shall be paid on a quarterly basis and shall be paid to the Department for the previous quarter.

Section 7. Tennessee Code Annotated, Section 68-217-108, is amended by adding to subsection (a) the language "a seller of drycleaning solvent," following the first words of the paragraph, "Upon failure or refusal of" and by deleting the words "chancery court of Davidson County" and by substituting instead the language "court of competent jurisdiction".

Section 8. Tennessee Code Annotated, Section 68-217-108, is further amended by adding to subsection (b) the language "or solvent surcharge" after the words "lawfully levied registration fee".

Section 9. Tennessee Code Annotated, Section 68-217-108, is further amended by adding to subsection (b) the language "or solvent surcharge" between the words "fee" and "by".

Senate Environment, Conservation & Tourissm

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Section 10. Tennessee Code Annotated, Section 68-217-108, is further amended by adding to subsection (b) the language “up to” between the words “of” and “fifty”.

Section 11. Tennessee Code Annotated, Section 68-217-108, is further amended by deleting the language from subsection (b) “registration fee is paid” and substituting instead the language “fee or surcharge is due and before said fee or surcharge is paid”.